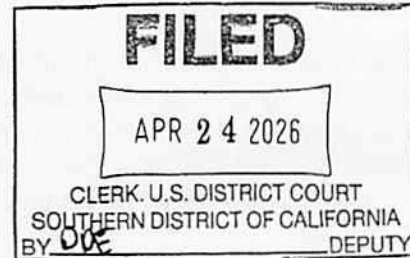


UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

KEIDY ROSANI ORELLANA BRIZO


Petitioner,

'26CV2664 BTM DDL



v.

DIRECTOR, IMPERIAL REGIONAL ADULT DETENTION FACILITY;
SECRETARY OF THE DEPARTMENT OF HOMELAND SECURITY;
DIRECTOR OF U.S. IMMIGRATION AND CUSTOMS ENFORCEMENT (ICE),
Respondents.

PETITION FOR WRIT OF HABEAS CORPUS
(28 U.S.C. § 2241)

I. INTRODUCTION

Petitioner, Keidy Rosani Orellana Brizo, respectfully submits this Petition for Writ of Habeas Corpus challenging the legality of her detention by United States immigration authorities.

Petitioner is currently detained by ICE despite having no criminal record, maintaining an active immigration case, possessing strong family ties, and facing urgent humanitarian circumstances. Her continued detention is unnecessary, disproportionate, and in violation of her constitutional rights.

II. JURISDICTION AND VENUE

This Court has jurisdiction pursuant to 28 U.S.C. § 2241, as Petitioner is in federal custody.

Venue is proper in this District because Petitioner is currently detained at the Imperial Regional Adult Detention Facility in Imperial, California, which lies within the Southern District of California.

III. STATEMENT OF FACTS

Petitioner is a citizen of Honduras.

She entered the United States on or about May 2, 2019, near Eagle Pass, Texas.

Petitioner established residence at:



Petitioner is the head of household and has full custody of five minor children, including one United States citizen child.

Due to her detention, her children are currently under the care of a 16-year-old sibling, who lacks the legal and practical ability to assume full responsibility.

Petitioner filed an affirmative asylum application (Form I-589) with USCIS, which remained pending, as evidenced by Form I-797C.

Petitioner was arrested on January 27 at approximately 10:00 a.m., while traveling for work to California.

The arrest occurred without a judicial warrant, without criminal conduct, and without probable cause.

Petitioner has no criminal history and does not pose a danger to the community.

At the time of arrest, Petitioner presented her valid Employment Authorization Document (EAD) to officers.

Petitioner has appeared at multiple immigration hearings.

She requested a bond hearing, but it was denied on the basis that the immigration court allegedly lacked jurisdiction.

Petitioner has submitted letters of support and recommendation, demonstrating her good moral character, community ties, and responsibility as a mother.

IV. LEGAL ARGUMENT

A. Improper Application of Mandatory Detention (INA § 235(b))

The government's application of mandatory detention under INA § 235(b) is legally improper.

Petitioner:

Was not seeking admission at a port of entry

Was not located at or near a designated entry point

Was not attempting to reenter the United States

Was residing within the United States with an active immigration case

Therefore, application of INA § 235(b) is legally incorrect.

B. Violation of the Fifth Amendment – Due Process

Petitioner's prolonged detention without an individualized bond hearing violates the Due Process Clause of the Fifth Amendment.

The government has failed to demonstrate that detention is necessary to prevent flight or danger.

See:

Zadvydas v. Davis, 533 U.S. 678 (2001)

Jennings v. Rodriguez, 138 S. Ct. 830 (2018)

C. Fourth Amendment Violation

Petitioner was detained without a judicial warrant or probable cause, in violation of the Fourth Amendment.

D. Suspension Clause – Article I, Section 9

The continued detention without meaningful judicial review violates the Suspension Clause, as habeas corpus is the only mechanism available to challenge unlawful detention.

E. Ninth Circuit Precedent

The Ninth Circuit has recognized that prolonged immigration detention without a bond hearing raises serious constitutional concerns:

Rodriguez v. Robbins, 715 F.3d 1127 (9th Cir. 2013)

Diouf v. Napolitano, 634 F.3d 1081 (9th Cir. 2011)

These cases support the right to an individualized bond hearing.

F. Humanitarian Factors

Petitioner's detention:

Severely harms her five minor children

Leaves a U.S. citizen child in a vulnerable situation

Places children under the care of another minor

This demonstrates that continued detention is unnecessary, excessive, and unjust.

V. PRAYER FOR RELIEF

WHEREFORE, Petitioner respectfully requests that this Court:

Declare that her detention is unlawful and unconstitutional;

Order that she not be transferred while this case is pending;

Order her immediate release;

Alternatively, order an individualized bond hearing, where the government bears the burden;

Grant any other relief deemed just and proper.

VI. VERIFICATION

I, Keidy Rosani Orellana Brizo, declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge.

Keidy Orellana

Keidy Rosani Orellana Brizo

Pro Se

A black rectangular box used to redact the signature of the petitioner.

Date: 04-22-2026

Imperial Regional Adult Detention Facility

1572 Gateway Road
Callexico, CA 92231

PROOF OF SERVICE

I certify that on 04-22-2026 , I served a true and correct copy of this Petition upon:

U.S. Attorney – Southern District of California
880 Front Street, Room 6293
San Diego, CA 92101

Secretary of Homeland Security
2707 Martin Luther King Jr. Ave SE
Washington, DC 20528

ICE – OPLA San Diego
880 Front Street, Suite 2246
San Diego, CA 92101

Director Imperial Regional Adult Detention Facility
1572 Gateway Road
Calexico, CA 92231

Keidy Orellana

Name: Keidy Rosani Orellana Brizo
Pro Se



Dated: 04-22-2026
Location: Imperial Regional Adult Detention Facility
1572 Gateway Road
Calexico, CA 92231